

**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

April 24, 2006

MEMBERS PRESENT: Emery Zahner, Cliff Aucter, Geri Kupecky, Lori Spielman, Arlo Hoffman and Alternates Carol Strom and Joe Wehr

MEMBERS ABSENT: Bob Hoffman and Alternate Jim Prichard

STAFF PRESENT: Reanna Goodreau, Land Use Assistant and Kristin Michaud, Recording Secretary

I. CALL TO ORDER:

Chairman Zahner called the Planning & Zoning Commission (PZC) meeting to order at 7:01 PM at the Ellington Town Hall Annex Meeting Room, 57 Main Street, Ellington, CT.

II. PUBLIC COMMENTS: NONE

1. #S200515 – Landmark Surveys, LLC for a 4 lot subdivision on property located on Webster Road, APN 126-002-0000 in a RA Zone.

TIME: 7:03

SEATED: E. Zahner, C. Aucter, G. Kupecky, L. Spielman, A. Hoffman, C. Strom

Rachel Dearborn, Landmark Surveys, came forward to discuss the application. She noted that they have received approvals from the Inland Wetlands Agency and the North Central District Health Department. Ms. Dearborn stated that they have submitted the common driveway maintenance agreement for the commission's review. She stated that she never received the letter from the Town Engineer dated 3/24/06, but after speaking with Reanna Goodreau, Land Use Assistant, this morning she received a copy. Ms. Dearborn explained that she contacted the Town Engineer and resolved the issues in his letter of 3/24/06; however, she did not receive anything in writing from him stating that. She continued by reviewing the subdivision plan.

Vice Chairman Aucter inquired about the length of the common driveway and Ms. Dearborn stated it was approximately 600'. Chairman Zahner read the Town Engineer's letter dated 3/24/06. Chairman Zahner stated that he would like to have something in writing from the Town Engineer approving the revised plans.

Ms. Dearborn explained that they have submitted an appraisal; however, the appraiser is not one from the "Approved List". She explained that they will either be trying to get the appraiser on the list, or the owner will get another appraisal. Chairman Zahner suggesting waiting to act on the application until the appraisal issue is resolved.

MOVED (SPIELMAN), SECONDED (STROM) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200515 – LANDMARK SURVEYS, LLC.

2. #Z200607 – Landmark Surveys, LLC for special permit and site plan modification for a 50' x 70' office addition, a 50' x 20' garage addition to existing auto body shop, parking expansion and associated improvements on property located at 408 Somers Road, APN 121-029-0000 in an I Zone.

TIME: 7:26

SEATED: E. Zahner, C. Aucter, G. Kupecky, L. Spielman, A. Hoffman, J. Wehr

Rachel Dearborn, Landmark Surveys, came forward to review the plan revisions. She noted that they have received approval from the North Central District Health Department. Ms. Dearborn also reviewed the Design Review Board's comments and showed how they complied. Ms. Dearborn's client would like a display area for two vehicles 30' from the road.

Chairman Zahner read the Town Engineer's letter dated 3/27/06 and the Town Planner's memo dated 4/21/06. There was a brief discussion about allowing two display vehicles.

MOVED (WEHR), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #S200607 – LANDMARK SURVEYS, LLC.

MOVED (SPIELMAN), SECONDED (WEHR) AND PASSED (C. AUCTER - OPPOSED) TO APPROVE #S200607 – LANDMARK SURVEYS, LLC.

3. #S200602 – Cantor & Goldfarb Partnership for a 2 lot subdivision on property located at 1 Webster Road, APN 096-007-0000 in an RA Zone.

TIME: 7:40

SEATED: A. Hoffman, G. Kupecky, E. Zahner, C. Aucter, L. Spielman, C. Strom

Chairman Zahner read the request for an extension to continue the hearing to the May meeting from Gardner & Peterson Associates dated 4/17/06.

MOVED (KUPECKY), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING FOR #S200602 – CANTOR & GOLDFARB PARTNERSHIP TO THE MAY 22, 2006 MEETING.

4. #Z200608 – Christopher Libby for a site plan modification for construction of 17,000 square feet of commercial space for a self storage facility and associated office space, retail space, modification of existing bar and grill and associated site improvements on property located at 117 Stafford Road, APN 148-087-0000 and 137 Stafford Road, APN 148-084-0000 in a C Zone.

TIME: 7:43

SEATED: E. Zahner, A. Hoffman, G. Kupecky, C. Aucter, L. Spielman, J. Wehr

Peter DeMallie, Design Professionals, reviewed the plan. He explained that the existing gravel parking area will become 36 paved parking spaces, there will be 1,500 square feet of new office/retail space, 1,320 square feet of a two-story office for the self storage and 13,900 square

feet of self storage buildings. Mr. DeMallie explained that they will be adding a deck to the existing bar/restaurant. He noted that they have received approvals from the Water Pollution Control Authority, Zoning Board of Appeals, and Inland Wetlands Agency.

Galen Semprebon, Design Professionals, reviewed the landscape plan. Vice Chairman Aucter stated that he would like to see additional plantings in the front yard setback.

Chairman Zahner read North Central District Health Department's letter dated 4/17/06, the Town Engineer's letter dated 4/24/06, the Design Review Board's (DRB) letter from review of plans dated 8/11/05, the Fire Marshal's letter dated 4/24/06 and the Town Planner's memo dated 4/21/06.

Vice Chairman Aucter requested that they supply more information on the architectural elements. Chairman Zahner requested additional information on the site lighting.

Mr. Semprebon noted that they are not currently requesting any changes to the existing signage. He stated that they would return for the unified sign design approval at a later date.

MOVED (AUCTER), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING FOR #Z200608 – CHRISTOPHER LIBBY TO THE MAY 22, 2006 MEETING.

5. #Z200614—Gale Construction for a special permit for renewal of earth excavation permit on property located at 90 Sadds Mill Road, APN 079-002-0000 in an A Zone.

TIME: 8:22

SEATED: E. Zahner, A. Hoffman, G. Kupecky, C. Aucter, L. Spielman, C. Strom

Chairman Zahner read the Town Engineer's letter dated 4/24/06.

MOVED (AUCTER), SECONDED (L. SPIELMAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200614- GALE CONSTRUCTION.

MOVED (AUCTER), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION #Z200614 – GALE CONSTRUCTION.

CONDITION: MUST COMPLY WITH THE TOWN ENGINEER'S LETTER DATED 4-24-06.

6. #Z200615 – Sadds Mill Associates, LLC for a special permit for renewal of earth excavation permit on properties located on Sadds Mill Road & Green Road, APN 100-009-0000, 100-011-0000, 101-003-0000, 101-001-0000 & 088-001-0000 in I & RA Zones.

TIME: 8:23

SEATED: A. Hoffman, G. Kupecky, E. Zahner, C. Aucter, L. Spielman, J. Wehr

Jay Ussery, J.R. Russo & Associates, came forward to review the application. He stated that the only change is to allow processing of bituminous and concrete for recycling purposes. He noted that they already process material with a crusher and screener and would be using the same equipment.

Chairman Zahner read the Town Engineer's letter dated 4/24/06.

MOVED (HOFFMAN) SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200615- SADDS MILL ASSOCIATES.

MOVED (SPIELMAN), SECONDED (AUCTER) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION #Z200615 – SADDS MILL ASSOCIATES.

CONDITION: MUST COMPLY WITH THE TOWN ENGINEER’S LETTER DATED 4-24-06.

7. #Z200616 – DeCarli Revocable Trust for a special permit for renewal of earth excavation permit on property located on Sadds Mill Road & Green Road, APN 100-008-0000 in I & RA Zones.

TIME: 8:30

SEATED: A. Hoffman, G. Kupecky, L. Spielman, C. Aucter, E. Zahner, C. Strom

Jay Ussery, J.R. Russo & Associates, reviewed the plan with the commission.

Chairman Zahner read the Town Engineer’s letter dated 4/24/06.

MOVED (KUPECKY), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200616- DECARLI REVOCABLE TRUST.

MOVED (KUPECKY), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO APPROVE #Z200616 – DECARLI REVOCABLE TRUST.

IV. CLOSE THE PUBLIC MEETING IN ORDER TO GO INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PENDING LITIGATION:

MOVED (AUCTER), SECONDED (KUPECKY), AND PASSED UNANIMOUSLY TO GO INTO EXECUTIVE SESSION. ATTENDING THE EXECUTIVE SESSION WERE EMERY ZAHNER, GERRY KUPECKY, LORI SPIELMAN, CAROL STROM, ARLO HOFFMAN, CLIFF AUCTER, JOE WEHR, LAND USE ASSISTANT REANNA GOODREAU AND RECORDING SECRETARY KRISTIN MICHAUD.

MOVED (KUPECKY), SECONDED (SPIELMAN), AND PASSED UNANIMOUSLY TO ADJOURN THE EXECUTIVE SESSION.

V. RE-OPEN THE PUBLIC MEETING:

VI. NEW BUSINESS:

1. Request for bond reductions for the Ellington Highland Subdivision, Phases 1, 2 & 3.

BY CONSENSUS, THE COMMISSION TABLED THIS ITEM TO THE MAY 22, 2006 MEETING.

MOVED (AUCTER), SECONDED (WEHR) AND PASSED UNANIMOUSLY TO ADD BY VOICE VOTE A REQUEST FOR A SECOND 90-DAY EXTENSION TO FILE MYLARS ON THE LAND RECORDS FOR GASEK FARMS IIA, #S200510.

MOVED (AUCTER), SECONDED (WEHR) AND PASSED UNANIMOUSLY TO APPROVE A SECOND 90- DAY EXTENSION FOR GASEK FARMS IIA, #S200510.

MOVED (AUCTER), SECONDED (WEHR) AND PASSED UNANIMOUSLY TO ADD BY VOICE VOTE #Z200617—CORNERSTONE ELLINGTON, LLC FOR SITE PLAN MODIFICATION TO THE LANDSCAPING PLAN AT 135 WEST ROAD.

BY CONSENSUS, THE COMMISSION ACCEPTED THE WITHDRAWAL OF #Z200617—CORNERSTONE ELLINGTON, LLC.

MOVED (AUCTER), SECONDED (WEHR) AND PASSED UNANIMOUSLY TO ADD BY VOICE VOTE DISCUSSION OF CHASSERAL MEADOWS.

BY CONSENSUS, COMMISSIONERS G. KUPECKY, L. SPIELMAN, E. ZAHNER, A. HOFFMAN AND C. AUCTER AGREED THAT DURING THE SITE PLAN & SPECIAL PERMIT APPROVAL PROCESS, THE APPLICANT REPRESENTED TO THE COMMISSION THAT CHASSERAL MEADOWS WAS CONDOMINIUM COMPLEX, WHICH AN ASSOCIATION WOULD OWN & MAINTAIN THE INFRASTRUCTURE.

VII. UNFINISHED BUSINESS: NONE

VIII. ADMINISTRATIVE BUSINESS:

1. Set the effective date for the zone change from AA to MF on property located at 160 Windermere Avenue, APN 026-002-0000 & 026-002-0033.

TABLED TO THE MAY 22, 2006 MEETING.

2. Request for a second 90-day extension to file subdivision mylars for the Gotta Go, LLC Subdivision #S200508.

MOVED (AUCTER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO GRANT A SECOND 90-DAY EXTENSION TO FILE MYLARS FOR THE GOTTA GO, LLC SUBDIVISION, #S200508.

3. Discussion of any final minor corrections to the zoning regulations regarding Commission sponsored comprehensive zoning amendment. (Public Hearing Already Set for May)

The commission did not have any additional comments in regards to the comprehensive zoning amendment.

MOVED (AUCTER), SECONDED (SPIELMAN) AND PASSED UNANIMOUSLY TO ADD BY VOICE VOTE AND RECEIVE #Z200621 – SAVVAS MERKOURIOU FOR A SPECIAL PERMIT FOR AN ACCESSORY APARTMENT ON PROPERTY LOCATED AT 119 BURBANK ROAD AND #Z200622 – CONNECTICUT PARACHUTISTS, INC. FOR LOCATION OF SHADE TENTS ON PROPERTY LOCATED AT 360 SOMERS ROAD.

BY CONSENSUS, THE COMMISSION RECEIVED ITEMS 4-6: APPLICATIONS #Z200619—SULLIVAN FARMS, LLC FOR A SPECIAL PERMIT FOR A REAR LOT IN CONJUNCTION WITH A 9 LOT SUBDIVISION ON GRANT ROAD, #S200603 SULLIVAN FARMS, LLC FOR A 9 LOT SUBDIVISION ON GRANT ROAD AND #Z200618—BEMERS FOR A SITE PLAN AND SPECIAL PERMIT MODIFICATION FOR A 1,000 GALLON ABOVE GROUND PORTABLE PROPANE DISPENSING STATION & ASSOCIATED IMPROVEMENTS AT 171 WEST ROAD.

4. #Z200619 – Sullivan Farms, LLC for special permit for 1 rear lot on property located on Grant Road, APN 005-048-0002 in an AA Zone. (RECEIPT ONLY)

5. #S200603 – Sullivan Farms, LLC for a 9 lot subdivision on property located on Grant Road, APN 005-048-0002 in an AA Zone. (RECEIPT ONLY)
6. #Z200618 – Bemers for special permit and site plan modification for a 1000 gallon above ground portable propane dispensing station and associated improvements on property located at 171 West Road, APN 046-005-0001 in a PC Zone. (RECEIPT ONLY)
7. Approval of Meeting Minutes:
 - a. March 27, 2006 Regular Meeting Minutes

MOVED (HOFFMAN), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO APPROVE THE MARCH 27, 2006 REGULAR MEETING MINUTES.

8. Correspondence:
 - a. Letter to Robert Phillips, Town Planner from Tarbell & Heintz dated 04-10-06. (Gotta Go, LLC)
 - b. Memo to Board of Finance from Conservation Commission dated 03-29-06. (Reinstating Funding For Open Space Purchases)
 - c. State of Connecticut department of Environmental Protection, 03-20-06.

SO NOTED.

IX. ADJOURNMENT:

MOVED (KUPECKY), SECONDED (WEHR) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING AT 9:00 PM.

Respectfully Submitted,

Kristin Michaud
Recording Secretary